

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	4:06CR3169
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
TOBY K. MULHOLLAND,	)	
	)	
Defendant.	)	

This matter is before the court upon the recommendation (filing 23) by Magistrate Judge Piester that I deny the pending motion to suppress (filing 13). The defendant has not objected to the recommendation. After a de novo review of the Magistrate Judge's Recommendation pursuant to 28 U.S.C. § 636(b)(1) and NECrimR 57.3, I conclude that the Magistrate Judge's Recommendation should be adopted and the defendant's motion to suppress should be denied for the reasons articulated by Magistrate Judge Piester and read into the record at the close of the suppression hearing (filing 25 at 91-95).

Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's Recommendation (filing 23) is adopted; and
2. The motion to suppress (filing 13) is denied.

February 23, 2007

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge